ताकि इसकी उपयोगिता के संबंध में निर्णय लिया जा सके।

Exemption of State Transport Buses from Insurance

*228. MAULANA OBAIDULLAH KHAN AZMI: Will the Minister of SURFACE TRANSPORT be pleased to state:

(a) whether it is a fact that certain State Transport Buses are exempt from insurance;

(b) if so, what are the details in this regard;

(c) whether Government have issued or propose to issue directives to such States for prompt disposal of road accident claims cases, pertaining to grant of cash compensation; and

(d) if so, what are the details in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI JAGDISH TYTLER): (a) and (b) Yes Sir. State Transport Buses are exempted from insurance provided they maintain a fund for meeting any liability arising out of the use of any such vehicle. As per available information, the buses of Maharashtra State Road Transport Corporation, Andhra Pradesh SRTC, Karnataka SRTC, Pallavan TCL, Madras and DTC are exempted from Insurance.

(c) and (d) The need for early disposal of compensation cases has been impressed upon the State Governments from time to time. However, with a view to further simplify this procedure, the Government have, through a new Section 163A of the Motor Vehicles Act, 1988 introduced a procedure for payment of compensation on the basis of a pre-determined formula based on the age and income of the road accident victims. The compensation under this formula is on the principle of no fault and has been restricted to an income of Rs. 40,000/- per annum. The heirs/victims have, however, the option to go in for higher amount of compensation according to Section 140 of the Motor Vehicles Act, but not under both the provisions. The details of the amount of compensation on the basis of pre-determined formula are given in the statement. (*See* below) The Government have the powers to revise this schedule.

Statement

The Second Schedule
(See Section 163A)

SCHEDULE FOR COMPENSATION FOR THIRD PARTY FATAL ACCIDENT/ INJURY CASES CLAIMS

1. Fatal Accidents

	Annual income	Rs. 3000	Rs 4200	Rs 5400	Rs. 6600	Rs. 7800	Rs. 9000	Rs. 10200	Rs. 11400	Rs. 12000	Rs. 18000	Rs. 24000	Rs. 36000	Rs. 40000
Age of Victim		Multiplier					Rupees in Thousands Compensation in case of death							
		Rs.	Rs	Rs	Rs	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Upto 15 yrs	15	60	84	108	132	156	180	204	228	240	360	480	720	800
Above 15 yrs but not exdg. 20 yrs	16	57	79 8	102	125.4	148.2	171	193.8	216.6	228	342	456	684	760
Above 20 yrs but not exdg 25 yrs.	17	54	75 6	97 2	118.8	140 4	162	183 6	205 2	216	324	432	648	720
Above 25 yrs but not exdg. 30 yrs	18	51	71 4	91 8	112 2	132 6	153	173.4	193.8	204	306	408	612	680

Above 30 yrs but not exdg 35 yrs.	17	50	67 2	86.4	105 6	124.8	144	163 2	192.4	192	288	384	576	640
Above 35 yrs but not exdg. 40 yrs.	16	50	63	81	99	117	135	153	171	180	270	360	540	600
Above 40 yrs but not exdg. 45 yrs.	15	50	58.8	75.6	92.4	109.2	126	142.8	159.6	168	252	336	504	560
Above 45 yrs but not exdg. 50 yrs	13	50	50.4	64.8	79 2	93 6	108	122.4	136.8	144	216	286	432	480
Above 50 yrs but not exdg 55 yrs.	11	50	50	54	66	78	90	102	114	120	180	240	360	400
Above 55 yrs but not exdg. 60 yrs.	8	50	50	50	52.8	62 4	72	81.6	91.2	96	144	192	286	320
Above 60 yrs but not exdg. 65 yrs.	5	50	50	50	50	50	54	61.2	68.4	72	108	144	216	240
Above 65 yrs	5	50	50	50	50	50	50	51	57	60	90	120	180	200

NOTE: The amount of compensation so arrived at in the case of fatal accident claims shall be reduced by 1/3rd in consideration of the expenses which the victim would have incurred towards maintaining himself had he been alive.

2. Amount of compensation shall not be less than Rs. 50,000/-

3. General Damage (In case of death):—

The following General Damages shall be payable in addition to compensations outlined above:

(i) Funeral expenses	Rs. 2,000/-
(i) Loss of Consortium, if beneficiary is the spouse	Rs. 5,000/-
(iii) Loss of Estate	Rs. 2,500/-
(iv) Medical Expenses actual expenses incurred before death supported by bills/vouchers but not exceeding	Rs. 15,000/-

4. General Damages in case of injuries and disabilities:—

(i) Pain and Sufferings	Rs. 5,000/-
(a) Grievous injuries	Rs. 1,000/-
(b) Non-grievous injuries	Rs. 15,000/-

5. Disability in non-fatal accidents:—

The following compensation shall be payable in case of disability to the victim arising out of non-fatal accidents:

Loss of inocme, if any, for actual period of disablement not exceeding fifty two weeks PLUS either of the following.

(a) In case of permanent total disablement the amount payable shall be arrived at by multiplying the annual loss of income by the Multiplier applicable to the age on the date of determining the compensation.

(b) In case of permanent partial disablement such percentage of compensation which would have been payable in the case of permanent total disablement as specified under item (a) above.

Injuries deemed to result in Permanent Total Disablement/Permanent Partial Disablement and percentage of loss of earning capacity shall be as per Schedule I under Workmen's Compensation Act, 1923.

6. National Income for compensation to those who had no income prior to accident:—

Fatal and disability in non-fatal accident:—

(i) Non-earning persons	Rs. 15,000/-p.a.
(ii) Spouse	Rs. 1/3rd of income of the earning surviving spouse.

In case of other injuries only "General Damage" as applicable.